

REMARKS

Claims 1-14 are pending in this application. Claims 1, 3, 10 and 12 have been amended, claims 15-20 have been added and claims 9 and 13 have been canceled without prejudice by the present Amendment. Amended claims 1, 3, 10 and 12 and new claims 15-20 do not introduce any new subject matter.

DRAWING OBJECTIONS

The Examiner objects to the drawings under 37 C.F.R. § 1.83(a) stating that drawings do not show "the docking station [comprising] a control for releasing the display from a latched position", as recited in claim 6.

Applicant respectfully traverses the Examiner's objection to the drawings. The control for releasing the display from a latched position is shown, for example, in Figures 5A-5D, reference numeral 505, and described in Applicant's disclosure at page 9, lines 1-10. Accordingly, Applicant respectfully submits that the claimed feature is shown in the drawings as filed, and need not be canceled from the claims. Further, Applicant maintains that there is no need to amend the drawings.

Therefore, Applicant respectfully requests that the Examiner withdraw the objection to the drawings.

REJECTIONS UNDER 35 U.S.C. § 102

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9

U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); M.P.E.P. § 2131.

MIYAGAWA

Reconsideration is respectfully requested of the rejection of claims 1-4 and 11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,410,447 ("Miyagawa").

Applicant respectfully submits that Miyagawa does not disclose or suggest a video display system, mounted in a headrest in a vehicle, and having a base portion positioned substantially within the headrest, as recited in amended claim 1.

These features are neither expressly nor inherently disclosed or suggested in Miyagawa. In contrast to the claimed embodiment, Miyagawa shows a portable computer that is not designed for being mounted in a vehicle headrest. Indeed, if the main body 29 of Miyagawa was mounted substantially within the headrest as claimed, the computer keyboard, which is essential to the operation of the portable computer, would be inaccessible, or at the very least very difficult and cumbersome to operate.

Therefore, Applicant respectfully submits that independent claim 1 is not anticipated by Miyagawa. Claims 2-4 and 11 depend from claim 1, which, for the reasons stated hereinabove, is submitted not to be anticipated by the cited reference. For at least those very same reasons, claims 2-4 and 11 are also submitted not to be anticipated by the cited reference.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-4 and 11 under 35 U.S.C. § 102(b) and that claims 1-4 and 11 are in condition for allowance.

ROSEN

Reconsideration is respectfully requested of the rejection of claims 1, 5-6 and 8 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,292,236 ("Rosen").

Rosen Does Not Disclose A Headrest Mounted Video System

Applicant respectfully submits that Rosen does not disclose or suggest a video display system, mounted in a headrest in a vehicle, and having a base portion positioned substantially within the headrest, as recited in amended claim 1.

These features are neither expressly nor inherently disclosed or suggested in Rosen. In contrast to the claimed embodiment, Rosen shows a ceiling mounted monitor for a vehicle. There is no disclosure in Rosen relating to or suggesting mounting of a video system in a headrest.

Accordingly, Rosen does not disclose or suggest the claimed video display system that is mounted in a vehicle headrest.

Rosen Does Not Disclose Various Remaining Features Of Claim 1

In the December 21, 2005 Office Action, the Examiner maintains that Rosen discloses the "base portion", "arm", and "a second hinge coupled to a second end of the arm".

The Examiner states that Rosen discloses the "base portion", but provides no explanation as to how Rosen discloses the base portion, and simply states that the base portion is "not shown".

The Examiner maintains that an "arm" is shown in Fig. 2 of Rosen, but is "not labeled". Further, the Examiner maintains that a second hinge (about axis B) is coupled to a second end of the arm. While it is true that Rosen discloses a monitor which

rotates about axis A and axis B, Rosen does not provide any further details as to how such rotation is effectuated, apart from stating that the monitor is hinged to the housing.

See Rosen, col. 4, lines 25-57.

Accordingly, the Examiner's conclusion that Rosen includes the claimed "base portion", "arm" and "second hinge coupled to a second end of the arm", is based entirely on speculation and makes use of hindsight knowledge gleaned from Applicant's disclosure.

Therefore, Applicant respectfully submits that Rosen does not disclose or suggest the "base portion", "arm" and "second hinge coupled to a second end of the arm", as recited in claim 1.

As such, for at least the foregoing reasons, Applicant respectfully submits that independent claim 1 is not anticipated by Rosen. Claims 5-6 and 8 depend from claim 1, which, for the reasons stated hereinabove, is submitted not to be anticipated by the cited reference. For at least those very same reasons, claims 5-6 and 8 are also submitted not to be anticipated by the cited reference.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 5-6 and 8 under 35 U.S.C. § 102(b) and that claims 1, 5-6 and 8 are in condition for allowance.

KIM

Reconsideration is respectfully requested of the rejection of claims 1 and 10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,081,420 ("Kim").

Applicant respectfully submits that Kim does not disclose or suggest a video display system, mounted in a headrest in a vehicle, and having a base portion

positioned substantially within the headrest, as recited in amended claim 1.

These features are neither expressly nor inherently disclosed or suggested in Kim. In contrast to the claimed embodiment, Kim shows a flat-panel display for connecting to a mainframe chassis of a desktop computer. As can be seen from the bulky design of Kim, the Kim device is for use on a desktop and is not designed for being mounted in a vehicle headrest. See Kim, Fig. 1.

Therefore, Applicant respectfully submits that independent claim 1 is not anticipated by Kim. Claim 10 depends from claim 1, which, for the reasons stated hereinabove, is submitted not to be anticipated by the cited reference. For at least those very same reasons, claim 10 is also submitted not to be anticipated by the cited reference.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1 and 10 under 35 U.S.C. § 102(b) and that claims 1 and 10 are in condition for allowance.

REJECTIONS UNDER 35 U.S.C. § 103(a)

KU IN VIEW OF CHANG

Reconsideration is respectfully requested of the rejection of claims 1, 5, 7 and 9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,266,236 ("Ku") in view of U.S. Patent No. 6,409,242 ("Chang").

The Combination Of Ku And Chang Does Not Disclose or Suggest The Claimed Features

Applicant respectfully submits that Ku, when taken alone or in combination with Chang, fails to teach or suggest a video display system, mounted in a headrest in a vehicle, and having a base portion positioned substantially within the headrest, as

recited in amended claim 1.

These features are neither expressly nor inherently disclosed or suggested in Ku. In contrast to the claimed embodiment, Ku shows a portable computer that is not designed for being mounted in a vehicle headrest. Indeed, if the base 12 of Ku was mounted substantially within the headrest as claimed, the computer keyboard, which is essential to the operation of the portable computer, would be inaccessible, or at the very least very difficult and cumbersome to operate.

Further, the addition of Chang does not render obvious the claimed embodiment. Chang relates to an overhead monitor and does not include any disclosure relating to a headrest mounted video system.

Accordingly, Applicant respectfully submits that Ku, when taken alone or in combination with Chang, fails to teach or suggest the recited features of claim 1.

*There Is No Suggestion To Modify Ku To Be
A Headrest Mounted Video Display System*

Applicant respectfully submits that modifying Ku to result in the claimed headrest mounted video display system having a base portion positioned substantially within the headrest is not obvious because such a modification would render Ku unsatisfactory for its intended purpose of providing a display for a portable computer. If a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984); see MPEP § 2143.01.

As stated above, if the base 12 of Ku was mounted substantially within the headrest as claimed, the computer keyboard, which is essential to the operation of the

portable computer, would be inaccessible, or at the very least very difficult and cumbersome to operate. Therefore, if Ku were modified to be mounted in a headrest, it would be extremely difficult, if not impossible, for a user to utilize the keyboard. Accordingly, a user would not be able to use Ku as a portable computer, thereby rendering Ku unsatisfactory for its intended purpose.

As such, there is no motivation to modify Ku to be a headrest mounted system.

Therefore, it is respectfully submitted that the cited references, when taken alone or in combination, do not disclose or suggest the embodiment of the present invention, as defined in amended claim 1, and that it would not have been obvious to modify Ku in view of Chang, to develop same.

As such, Applicant respectfully submits that the embodiment of the invention as defined in amended claim 1 is patentable over Ku in view of Chang. For at least the reason that claims 5 and 7 depend from claim 1, claims 5 and 7 are also submitted to be patentably distinct over the cited references, claim 9 having been canceled.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 5, 7 and 9 under 35 U.S.C. § 103(a) and that claims 1, 5 and 7 are in condition for allowance.

MA IN VIEW OF CHANG AND JOST

Reconsideration is respectfully requested of the rejection of claims 12-14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,255,214 ("Ma") in view of Chang and U.S. Patent Application Pub. No. 2003/0184137 ("Jost").

The Combination Of Ma, Chang And Jost Does
Not Disclose or Suggest The Claimed Features

Applicant respectfully submits that Ma, when taken alone or in combination with

Chang and Jost, fails to teach or suggest a video display system including a docking station for securing the base portion substantially within a vehicle headrest, as recited in amended claim 12.

These features are neither expressly nor inherently disclosed or suggested in Ma. In contrast to the claimed embodiment, Ma shows a portable computer that is not designed for being mounted in a vehicle headrest. Indeed, if the mainframe 2 of Ma was mounted substantially within the headrest as claimed, the computer keyboard, which is essential to the operation of the portable computer, would be inaccessible, or at the very least very difficult and cumbersome to operate.

Further, the addition of Chang does not render obvious the claimed embodiment. Chang relates to an overhead monitor and does not include any disclosure relating to a headrest mounted video system.

Jost also does not render obvious the claimed embodiment. Although Jost relates to a method for assembling a case on a cushion of a headrest, Jost does not disclose or suggest securing a base portion substantially within a headrest as claimed. Indeed, as shown in Fig. 1 of Jost, a cover including case 5 is positioned over a headrest cushion 2, such that the case 5 rests on a surface of the cushion 2, and is not substantially within a headrest.

Accordingly, Applicant respectfully submits that Ma, when taken alone or in combination with Chang and Jost, fails to teach or suggest the recited features of claim 12.

*There Is No Suggestion To Modify Ma To Secure
The Base Portion Substantially Within A Headrest*

Applicant respectfully submits that modifying Ma to secure a base portion in a

headrest is not obvious because such a modification would render Ma unsatisfactory for its intended purpose of providing a display for a portable computer. If a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984); see MPEP § 2143.01.

As stated above, if the mainframe 2 of Ma was mounted substantially within the headrest as claimed, the computer keyboard, which is essential to the operation of the portable computer, would be inaccessible, or at the very least very difficult and cumbersome to operate. Therefore, if Ma were modified to be mounted in a headrest, it would be extremely difficult, if not impossible, for a user to utilize the keyboard. Accordingly, a user would not be able to use Ma as a portable computer, thereby rendering Ma unsatisfactory for its intended purpose.

As such, there is no motivation to modify Ma to secure a base portion substantially within a headrest.

Therefore, it is respectfully submitted that the cited references, when taken alone or in combination, do not disclose or suggest the embodiment of the present invention, as defined in amended claim 12, and that it would not have been obvious to modify Ma in view of Chang and Jost, to develop same.

As such, Applicant respectfully submits that the embodiment of the invention as defined in amended claim 12 is patentable over Ku in view of Chang and Jost. For at least the reason that claim 14 depends from claim 12, claim 14 is also submitted to be patentably distinct over the cited references, claim 13 having been canceled.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 12-14 under 35 U.S.C. § 103(a) and that claims 12 and 14 are in condition for allowance.

DEPENDENT CLAIMS

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, *supra*, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

NEW CLAIMS

Applicant respectfully submits claims 15-19 for consideration. Applicant respectfully submits that in addition to being patentable in their own right, new claims 15-19 are patentable over the cited references for at least the reason of their dependency on independent claims 1 or 12, which Applicant submits are in condition for allowance.

INFORMATION DISCLOSURE STATEMENT SUBMITTED ON 2/15/06

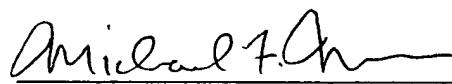
Applicant notes that the Supplemental Information Disclosure Statement ("IDS") filed on February 15, 2006 incorrectly indicated that the IDS was being filed before the mailing date of the first Office Action. However, the IDS did include a statement to charge any fees due to deposit account no. 50-0679.

Accordingly, Applicant notes that the IDS was filed after the mailing date of the

first Office Action, and notes that the \$180.00 fee under 37 C.F.R. § 1.17(p) should have been charged to deposit account no. 50-0679.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,



Michael F. Morano
Reg. No. 44,952
Attorney for Applicant

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, NY 11779
(516) 692-8888